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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
GTE Telephone Operating Companies)	Transmittal No. 1234
Revisions to Tariff FCC No. 1)	
)	
GTE System Telephone Companies)	Transmittal No. 304
Revisions to Tariff F.C.C. No. 1)	
)	
Order Designating Issues)	CC Docket No. 00-36
for Investigation)	
)	

MOTION TO TERMINATE THE INVESTIGATION

Pursuant to Section 1.41 of the Rules of the Federal Communications Commission's ("FCC" or "Commission"),¹ GTE Service Corporation and its affiliated local exchange companies² ("GTE") respectfully request the Commission to terminate the investigation in the above-captioned matter. GTE has taken a number of steps to render the issues raised in *Designation Order*³ moot.

On December 6, 1999, GTE filed revisions to GTE Telephone Operating Companies ("GTOC") Tariff F.C.C. No. 1 and GTE System Telephone Companies

¹ 47 C.F.R. § 1.41.

² GTE Alaska, Inc., GTE Arkansas Inc., GTE California Inc., GTE Florida Inc., GTE Hawaiian Telephone Company Inc., The Micronesian Telecommunications Corp., GTE Midwest Inc., GTE North Inc., GTE Northwest Inc., GTE South Inc., GTE Southwest Inc., Contel of Minnesota, Inc., and Contel of the South, Inc.

³ See *GTE Telephone Operating Companies Revisions to Tariff F.C.C. No. 1*; *GTE System Telephone Companies Revisions to Tariff F.C.C. No. 1*; CC Docket No. 00-36, Order Designating Issues for Investigation, DA 00-431 (rel. Feb. 28, 2000) ("*Designation Order*").

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("GSTC") Tariff F.C.C. No. 1 (the "December Revisions") with the Commission seeking to establish rates, terms, and conditions for Expanded Interconnection Service ("EIS"). These provisions included charges for site preparation to accommodate collocation, which included the recovery of costs associated with major heating, ventilation, and air conditioning ("HVAC") additions and power upgrades. These filings were subsequently challenged, and on December 20, 1999, the Commission suspended the transmittals for one day and instituted an investigation into their lawfulness.⁴ In the *Designation Order* released on February 28, 2000, the Commission identified a number of issues with respect to the cost support for that portion of the proposed tariffs charging collocators for site preparation costs associated with HVAC and power upgrades.

GTE has taken a number of steps that moot the issues raised in the *Designation Order*. On March 21, 2000, GTE filed new revisions to GTOC Tariff F.C.C. No. 1 and GSTC Tariff F.C.C. No. 1 that eliminate the major-HVAC and power upgrade charges from the EIS site preparation tariffs.⁵ Moreover, those customers who were billed the previous rates that were effective December 21, 1999, will receive a credit of \$18,888.00.⁶ GTE is also committing itself to file in the near future new revisions to

⁴ *GTE Telephone Operating Companies, Revisions to Tariff F.C.C. No. 1, Transmittal No. 1234, and GTE System Telephone Companies, Revisions to Tariff F.C.C. No. 1, Transmittal No. 304*, Order, DA 99-2966 (rel. Dec. 20, 1999) ("*Suspension Order*").

⁵ These revisions were filed in GTOC Transmittal No. 1248 and GSTC Transmittal No. 315 and will become effective on March 28, 2000. See Attach. A hereto.

⁶ This amount is equal to that portion of the fees that are associated with the major-HVAC and power upgrade costs. See GTE Reply to Sprint Petition, Attach. F (filed Dec. 16, 1999).

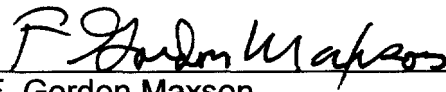
GTOC Tariff F.C.C. No. 1 and GSTC Tariff F.C.C. No. 1 that will include provisions to recover those major-HVAC and power upgrade site preparation costs. These new tariff provisions will be designed in light of the issues raised in the *Designation Order*.

GTE believes these steps fully address the concerns that were raised in the Commission's *Designation Order* concerning the December Revisions. The termination of the present proceeding will prevent the needless expenditure of scarce resources into the investigation of issues that have been mooted by subsequent events. Additionally, dismissal of this proceeding will permit GTE to concentrate its resources on the development of a new tariff. This plan of action has been discussed with both Sprint and NorthPoint. Therefore, GTE respectfully requests that the Commission terminate this investigation.

Respectfully submitted,

GTE SERVICE CORPORATION, AND ITS
AFFILIATED LOCAL EXCHANGE COMPANIES

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March 22, 2000

CERTIFICATE OF SERVICE

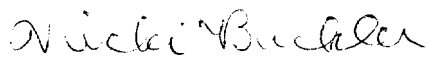
I hereby certify that on this 22 day of March 2000, I caused copies of the foregoing Motion to Dismiss to be served by hand to the following:

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Competitive Pricing Division
Common Carrier Bureau, Room 5-A225
Federal Communications Commission
Washington, DC 20554

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Vicki Buckler

GTE TELEPHONE OPERATING COMPANIES

TARIFF FCC NO. 1
1st Revised Page 347.1
Cancels Original Page 347.1
Effective: March 28, 2000

Issued: March 21, 2000

FACILITIES FOR INTERSTATE ACCESS

17. EXPANDED INTERCONNECTION SERVICES (Cont'd)

17.10 BIS Rates and Charges (Cont'd)

17.10.3 Site Preparation Charge

<u>State</u> (USOC)	<u>Per 100 Square Feet</u>		<u>Per 200 Square Feet</u>		<u>Per 300 Square Feet</u>	
	{	}	{	}	{	}
California	\$14,672.00	(R) (*)	\$18,832.00	(R) (*)	\$23,002.00	(R) (*)
Florida	14,672.00		18,832.00		23,002.00	
Hawaii	14,672.00		18,832.00		23,002.00	
Idaho	14,672.00		18,832.00		23,002.00	
Illinois	14,672.00		18,832.00		23,002.00	
Indiana	14,672.00		18,832.00		23,002.00	
Kentucky	14,672.00		18,832.00		23,002.00	
Michigan	14,672.00		18,832.00		23,002.00	
Missouri	14,672.00		18,832.00		23,002.00	
North Carolina	14,672.00		18,832.00		23,002.00	
Ohio	14,672.00		18,832.00		23,002.00	
Oklahoma	14,672.00		18,832.00		23,002.00	
Oregon	14,672.00		18,832.00		23,002.00	
Pennsylvania	14,672.00		18,832.00		23,002.00	
South Carolina	14,672.00		18,832.00		23,002.00	
Texas	14,672.00		18,832.00		23,002.00	
Virginia	14,672.00		18,832.00		23,002.00	
Washington	14,672.00		18,832.00		23,002.00	
Wisconsin	14,672.00	(R) (*)	18,832.00	(R) (*)	23,002.00	(R) (*)

* Customers who were billed the previous rates that were effective December 21, 1999, will receive a (N) credit of \$18,888.00 (N)

(This page filed under Transmittal No. 1248.)

Director - Tariffs
600 Hidden Ridge, Irving, TX 75038

GTE TELEPHONE OPERATING COMPANIES

Issued: March 21, 2000

TARIFF FCC NO. 1
 1st Revised Page 347.2
 Cancels Original Page 347.2
 Effective: March 28, 2000

FACILITIES FOR INTERSTATE ACCESS

17. EXPANDED INTERCONNECTION SERVICES (Cont'd)17.10 EIS Rates and Charges (Cont'd)17.10.3 Site Preparation Charge (Cont'd)Nonrecurring Charge

<u>State</u> (USOC)	<u>Per 400 Square Feet</u> ()	<u>Per 500 Square Feet</u> ()
California	\$27,172.00 (R) (*)	\$31,332.00 (R) (*)
Florida	27,172.00	31,332.00
Hawaii	27,172.00	31,332.00
Idaho	27,172.00	31,332.00
Illinois	27,172.00	31,332.00
Indiana	27,172.00	31,332.00
Kentucky	27,172.00	31,332.00
Michigan	27,172.00	31,332.00
Missouri	27,172.00	31,332.00
North Carolina	27,172.00	31,332.00
Ohio	27,172.00	31,332.00
Oklahoma	27,172.00	31,332.00
Oregon	27,172.00	31,332.00
Pennsylvania	27,172.00	31,332.00
South Carolina	27,172.00	31,332.00
Texas	27,172.00	31,332.00
Virginia	27,172.00	31,332.00
Washington	27,172.00	31,332.00
Wisconsin	27,172.00 (R) (*)	31,332.00 (R) (*)

* Customers who were billed the previous rates that were effective December 21, 1999, will receive a (N)
 credit of \$18,888.00 (N)

(This page filed under Transmittal No. 1248.)

Director - Tariffs
 600 Hidden Ridge, Irving, TX 75038

GTE SYSTEM TELEPHONE COMPANIES

Director-Tariffs

600 Hidden Ridge

Irving, Texas 75038

Issued: March 21, 2000

TARIFF FCC NO. 1

1st Revised Page 512.1.1

Cancels Original Page 512.1.1

Effective: March 28, 2000

ACCESS SERVICE**17. EXPANDED INTERCONNECTION SERVICES (Cont'd)****17.10 EIS Rates and Charges****17.10.3 Site Preparation Charge****Nonrecurring Charge**

	Per 100 <u>Square Feet</u>	Per 200 <u>Square Feet</u>	Per 300 <u>Square Feet</u>
State			
California	\$14,672.00 (R) (x)	\$18,832.00 (R) (X)	\$23,002.00 (R) (*)
Illinois	14,672.00	18,832.00	23,002.00
Missouri	14,672.00	18,832.00	23,002.00
Texas	14,672.00	18,832.00	23,002.00
Virginia	14,672.00	18,832.00	23,002.00
Washington	14,672.00 (R) (x)	18,832.00 (R) (X)	23,002.00 (R) (*)

* Customers who were billed the previous rates that were effective (N)
December 21, 1999, will receive a credit of \$18,888.00. (N)

(This page filed under Transmittal No. 315.)

GTE SYSTEM TELEPHONE COMPANIES

Director-Tariffs

600 Hidden Ridge

Irving, Texas 75038

Issued: March 21, 2000

TARIFF FCC NO. 1

1st Revised Page 512.1.2

Cancels Original Page 512.1.2

Effective: March 28, 2000

ACCESS SERVICE**17. EXPANDED INTERCONNECTION SERVICES (Cont'd)****17.10 EIS Rates and Charges (Cont'd)****17.10.3 Site Preparation Charge (Cont'd)****Nonrecurring Charge**

	<u>Per 400</u>		<u>Per 500</u>	
	<u>Square Feet</u>		<u>Square Feet</u>	
State				
California	\$27,172.00	(R) (*)	\$31,332.00	(R) (*)
Illinois	27,172.00		31,332.00	
Missouri	27,172.00		31,332.00	
Texas	27,172.00		31,332.00	
Virginia	27,172.00		31,332.00	
Washington	27,172.00	(R) (*)	31,332.00	(R) (*)

* Customers who were billed the previous rates that were effective (N)
 December 21, 1999, will receive a credit of \$18,888.00. (N)

(This page filed under Transmittal No. 315.)
